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C O R R E C T E D C O P Y - MISSING CAPTION

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SUBJECT: SCENESETTER FOR CODEL DURBIN VISIT TO SUDAN

REF: A) KHARTOUM XXXX; B) KHARTOUM XXXX

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Overview  
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¶1. (SBU) Post welcomes Senators Durbin and Brown to Sudan. You arrive at a critical juncture. The 2005 Comprehensive Peace Agreement (CPA) enshrined a fragile peace in Africa's largest country, and the work of U.S. Special Envoy to Sudan General Scott Gration brought a renewed urgency to Sudanese politics in 2009. Preparations have begun for national elections this year, currently scheduled April 11-18, and a referendum on Southern independence will follow in January, 2011.

¶2. (SBU) The CPA is arguably Africa's most significant power-sharing document, uniting both the National Congress Party (NCP) and Sudanese People's Liberation Movement (SPLM) in an uneasy alliance titled the Government of National Unity (GNU). Due to the contributions of the United States in organizing the talks at Naivasha from 2003 to 2005, the GNU partners, other political parties, and the Sudanese citizenry place heavy responsibility on the United States as a CPA guarantor. Both partners conducted high-level negotiations over pressing issues throughout 2009. The talks continue, albeit slowly, over the application of the census to the elections and border demarcation. In addition, an Assessment and Evaluation Commission (AEC) established by the CPA oversees implementation, bringing the two opposing sides together to address working-level issues; recently it has partnered with the Special Envoy to provide updated information on CPA implementation.

¶3. (SBU) Security in Sudan's western region of Darfur has deteriorated in the past year due to an increase in kidnappings, carjackings and general lawlessness caused by criminal gangs. While full-scale military operations by Sudan's Armed Forces (SAF) against rebel groups have all but stopped, armed clashes continue to occur from time to time between the SAF and rebels. In addition, rebel groups themselves continue to fight each other in turf battles. Darfuris from the ethnic Fur, Masalit and Zaghawa tribes comprise the estimated 2.7 million residents of Darfur's extensive network of internally displaced persons (IDP) camps. Figures released in January by the UN indicate that the hybrid peacekeeping force of the AU/UN Mission to Darfur (UNAMID) is nearing full deployment, but its effectiveness remains in question. Thabo Mbeki's High-Level Implementation Panel recently recommended that UNAMID patrols be further expanded. With the arrival of UN Joint Special Representative (UN-JSR) Ibrahim Gambari to head UNAMID and UNJSR Haile Menkerios to head UNMIS in the South, we have expectations for a more activist UN team.

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14. (SBU) The CPA set nationwide elections for July 2009, but administrative delays have pushed the election back to April 11-18, inclusive of both polling and counting of ballots. Statistics released after November's voter registration showed that approximately 16 million of an eligible 20 million voters had signed up to vote. While some observers have questioned the validity of these statistics, citing fraud and irregularities, the result still remains impressive. As of mid-February, the National Election Commission (NEC) has yet to resolve key problems including how registered voters will be allocated to the polling centers, how voters themselves will know to which polling center to go; how the military and internally displaced persons (IDPs) will vote, and how civic and voter education will be conducted.

15. (SBU) The ruling National Congress Party (NCP) has nominated its head, President Omar Al-Bashir, as its candidate for president. The Sudan People's Liberation Movement (SPLM) has nominated Yasir Arman, a Muslim from the North, as its candidate. Other candidatges include Umma party head and former prime minister Al-Sadiq Al-Mahdi.

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#### Khartoum: NCP Maintains Its Hold on Power

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16. (SBU) A consistent pattern of internal uprisings and external condemnation has not weakened the coterie of Northern power makers

who came to power in a bloodless coup two decades ago. The International Criminal Court's April 2009 announcement of an arrest warrant against Bashir has done little to diminish his popularity among the party faithful, and the disgruntled among the Northern populace appeared resigned to another open-ended term. However, discord within the NCP emerged in January after the party named its candidates for governor in both the North and South of Sudan. Local party hierarchies overruled Khartoum in North Kordofan and Blue Nile states, forcing the party to re-name its candidate in favor of the preferred local choice.

17. (SBU) With a tendency to reward its supporters and marginalize its critics, the NCP has initiated a development program for the riverine regions of the North, now home to an oil refinery, the new Merowe hydroelectric dam, and a network of tarmac roads. Political opposition parties in the North attract tribal loyalties but the Umma Party, the Popular Congress Party and the Democratic Unionist Party do not threaten the hegemony of the ruling regime. Khartoum authorities effectively control the underdeveloped states of eastern Sudan, which have witnessed neither conflict nor progress following the signing of the East Sudan Peace Agreement in 2006.

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#### The South: Eyes on the Referendum

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18. (SBU) Although the CPA has solidified peace between the North and the South, Southern Sudan faces internal strains that threaten its long-term stability. The Sudan People's Liberation Army (SPLA) is perennially on the brink of exhausting its limited funding, and regional/tribal ties frequently overwhelm the South's resources. In 2009, the semi-autonomous Government of Southern Sudan (GOSS) massively overcommitted its income stream. Underlying weakness in the GOSS financial planning system led to a spate of bad decisions, including inflated off-budget contracts for grain and roads. At the same time, the United Nations (UN) has expressed serious concern over the humanitarian situation in the South, with food shortages anticipated to continue well into 2010. Preliminary estimates indicate that due to late rains and failure of the first harvest, nearly 300,000 people are currently at risk, eating only one meal every three days.

19. (SBU) Overall security in Southern Sudan declined in 2009, and open conflict in Unity, Upper Nile, and Jonglei states had a destabilizing effect on the power and image of GOSS authorities. Hoping to control the spread of private armies, youth militias and inter-tribal violence, the GOSS is struggling to implement a policy

to disarm and integrate these forces into the state security forces. The Lord's Resistance Army remains a threat in Western Equatoria.

¶10. (SBU) As the nation prepares for elections, the South sees April's vote as the final stepping stone toward the 2011 referendum on Southern independence. GOSS President Salva Kiir is the SPLM candidate for President of Southern Sudan. Also running is Lam Akol, who in 2009 initiated SPLM-Democratic Change.

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#### Wealth Sharing Proceeds Fairly Smoothly

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¶11. (SBU) Oil production in Sudan is a marginally profitable endeavor, as estimates indicate that 45 percent of the revenue from oil is spent on extracting and refining Sudan's medium sweet Nile Blend and heavy, sour (and highly discounted) Dar blend of crude. The 2005 Wealth Sharing Agreement (WSA), a component of the CPA, provides that Juba and Khartoum divide oil revenue evenly from concession blocks straddling the as yet un-demarcated border between North and South. Despite dire predictions to the contrary, experts agree that implementation of these procedures has proceeded fairly smoothly. However, problems have arisen over Khartoum's decision to remit oil revenues to the South in local currency, not foreign exchange. International experts and the South point to the lack of transparency by the GNU in negotiating the original oil contracts, which are unlikely to have resulted in the best possible deal for Sudan. With the expiration of the WSA in 2011, and the prospects for secession by the South as the result of the referendum high, it is imperative that the parties begin consideration of post-2011 mechanisms for sharing the oil wealth. The South obtains fully 97 percent of its national revenues from oil revenues, compared to only 57 percent for the North.

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#### Abyei Remains A Tinderbox

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¶12. (SBU) The oil-rich, development-starved region of Abyei threatens to serve as a lit fuse for reigniting the North-South conflict. The July 2009 ruling of the Permanent Court of Arbitration in The Hague established boundaries "without prejudice to the Misseriya tribe's traditional migration rights, and the Special Envoy's presence in the area when at the announcement of the decision resulted in acceptance of the decision without a major blowup. At least in part because the parties failed to fulfill their responsibility to publicize the decision and to educate the citizenry as to its meaning, elements of the Misseriya tribe continue to reject the decision. And, although a six-member joint Abyei Border Demarcation Committee formed on August 27 has begun, after significant delay, to demarcate the border, recent intervention by the Sudan Armed Forces has prevented them from making any progress. The area continues to be one of the most tense in the country, and has the potential to erupt into violence before, during, and after the elections. On December 30, 2009, President Bashir fired Abyei's beleaguered chief Administrator, Brigadier General Arop Mayok, along with five members of his cabinet, and replaced Mayok with Deng Arop Kuol of the SPLM. This marked the second shakeup of Abyei's administrative body in less than twelve months.

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#### Darfur: Underlying Problems Unresolved

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¶13. (SBU) A flurry of International initiatives by Libya, Qatar, the African Union and the United States to solve the Darfur crisis continue, but the GOS made little effort in solving the underlying problems of the region. The NCP has made no effort to resolve issues such as reconciliation of warring elements, reconstruction of the war torn areas, or restoration of land rights since its short-lived Sudan People's Initiative in October 2008. Elections in Darfur will most likely end in a low overall turnout and a resounding success for the NCP. The Darfuri rebel movements command a loyal following among marginalized IDPs and non-Arab Darfuris, but they remain militarily weak and divided, and pose no

political threat to the NCP. The NCP announced in January that rebel unification efforts and peace talks in Doha will not continue past April.

¶14. (SBU) On a positive note, high-level Sudanese officials have been conducting talks with Chad since October 2009, pledging to end the long cycle of Chad-Sudan proxy warfare, a move that is widely seen to be vital for improving the situation in Darfur. These talks culminated in the February 5 signing of a Chad-Sudan border security agreement, in which each side agreed to send troops to the border to participate in a joint-border protection force. This agreement was immediately followed by Chadian President Deby's February 8-9 visit to Sudan--his first in six years. Cooperation between the UN Humanitarian Coordinator (HC), the Government of Sudan (GOS) and the remaining NGOs averted a major humanitarian disaster following the decision to "Sudanize" humanitarian operations in March 2009, following the expulsion of 13 international non-governmental organizations (NGOs). The hybrid peacekeeping force of the UN-African Union Mission in Darfur (UNAMID) has reached full deployment, but its effectiveness to combat rising insecurity remains in question.

¶15. (SBU) The Darfuri rebel movements are weak and divided, but still command a loyal following among marginalized IDPs and non-Arab Darfuris. Fur leader Abdul Wahid El-Nur remains ensconced in self-imposed exile in Paris, and Darfur Peace Agreement signatory Minni Minawi leads a fractured and inactive political movement. Khalil Ibrahim's Justice and Equality Movement (JEM), which launched an attack on Khartoum in May 2008, depends on support from the Chadian regime, but will most likely be hamstrung by the recent Chad-Sudan agreement in launching future attacks. African Union-United Nations Joint Chief Mediator Gibril Bassole, in conjunction with Special Envoy Gration, is leading an effort to form rebel groups into a coherent body through which to participate in talks with the GOS in Doha.

¶16. (SBU) The return in September 2009 of the International Organization for Migration (IOM) to South Darfur is considered a major achievement following the March expulsion of 13 international non-governmental organizations (NGOs). Cooperation between the UN Humanitarian Coordinator (HC), the GOS and the remaining NGOs averted a major humanitarian disaster following the decision to

"Sudanize" humanitarian operations, but conditions in Darfur remain dire. Although the current estimate of the number of IDPs in Darfur stands at 2.7 million, the lack of accurate numbers means that no one knows the number of Darfuris who have been displaced, or who have returned to their place of origin, over the last year. IOM in North and South Darfur, along with UNHCR in North and West Darfur, will continue to track the issue of returns, as the HC has predicted that larger numbers of IDPs may return home in 2010. Darfuri IDP leaders continue to insist that IDP returns cannot be undertaken because the area is not safe, while the GOS is pursuing the issue as proof that the conflict has ended.

WHITEHEAD